

Serial No.: 10/700,769

REMARKS

Applicant respectfully requests reconsideration of this Patent Application, particularly in view of the above Amendment and the following remarks. No additional claim fee is required for this Amendment as the number of independent claims has not changed, and the total number of claims is not more than originally filed.

A Petition for a two-month extension of time is enclosed.

Request for Telephone Interview

Applicant kindly requests the Examiner to contact the undersigned at (847) 490-1400 to schedule a telephone interview, to discuss the merits of this Patent Application.

Amendment to the Claims

Applicants have amended Claim 46 to recite that no part of the collection drum is an integral component of the conveyor device. Support for this Amendment can be found at paragraph [0014] on page 7 of the original Specification. No new matter has been added to the claims by this Amendment.

Claim Rejections - 35 U.S.C. §102

The rejection of Claims 44-47 and 49-55 under 35 U.S.C. §102(b) as anticipated by Müller et al., U.S. Patent 5,562,278, is respectfully traversed.

Independent Claim 44 recites a collection drum having a collection drum end and a conveyor device in a transfer region arranged adjacent to the collection drum end. The collection drum end is recited as including an end of each of the first rests and the hub of the collection drum. Page 3 of the Office Action refers only generally to FIG. 1 of the Müller et al. Patent for teaching these recited elements of Applicant's claimed invention.

The Müller et al. Patent does not disclose or suggest all limitations of Applicant's invention of Claim 44. Referring to FIG. 1 of the Müller et al. Patent, the endless conveyor member 46 of conveyor 40 is guided around the supporting element 16 of the processing drum 14 (column 4, lines 35-42). The conveyor 40 thus circulates by the turning of the drum 14. By using the drum hub 16 to turn the conveyor, the Müller et al. Patent actually discloses the opposite of Applicant's conveyor device arranged adjacent to the collection drum end.

For at least this reason, the Müller et al. Patent does not anticipate independent Claim 44, or any claim depending therefrom.

Regarding amended Claim 46, it is clear from the above remarks regarding Claim 44, that the Müller et al. Patent does not disclose Applicant's drum hub that is not a component of the conveyor device, and where no part of the

Serial No.: 10/700,769

collection drum is an integral component of the conveyor device. The conveyor device 40 of the Müller et al. Patent relies on the drum for turning the conveyor member 46.

Regarding independent Claim 55, and claims depending therefrom, the Müller et al. Patent does not teach or suggest Applicant's recited conveyor device that is detached from the collection drum and arranged adjacent to the collection drum end in a transfer region. As discussed above, in the Müller et al. Patent the endless conveyor member 46 of conveyor 40 is wrapped around the supporting element 16 of the processing drum 14 (column 4, lines 35-42) in order to turn the conveyor device 40.

As the Müller et al. Patent does not disclose or suggest all limitations of Claims 44-47 and 49-55, favorable reconsideration and withdrawal of the anticipation rejection are respectfully requested.

Claim Rejections - 35 U.S.C. §103

The rejection of Claims 48 and 56-66 under 35 U.S.C. §103(a) as being unpatentable over Müller et al., U.S. Patent 5,562,278, in view of Meier et al., U.S. Patent 5,657,978, is respectfully traversed. Claim 62 is independent. Claims 48, 56-61, and 63-66 are dependent, and are patentable for at least the same reasons as the discussed herein for the independent claims.

Serial No.: 10/700,769

Independent Claim 62 recites a conveyor device that is arranged adjacent to a collection drum end of the collection drum and a conveyor unit that is detached from the collection drum. The Office Action applies the Müller et al. Patent for teaching all limitations except the recited conveyor unit being detached from the collection drum, for which the Meier Patent is applied.

As noted above, by using the drum hub 16 to turn the conveyor, the Müller et al. Patent actually teaches the opposite of Applicant's conveyor device arranged adjacent to the collection drum end. The Office Action is thus incorrect in stating the teachings of the Müller et al. Patent.

The Office Action cites to column 4, lines 50-63 of the Meier et al. Patent for teaching a detached conveyor device. However, the cited passage is discussing two portions 3, 4 of the collection drum 2 and not a conveyor device. It is these two drum portions that can rotate at the different speeds. No conveyor is discussed in the passage cited by the Office Action.

The prior art references do not provide the teachings alleged by the Office Action. Therefore, the combination does not provide all claim limitations, and a proper *prima facie* case of obviousness has not been put forth. Favorable reconsideration and withdrawal of this rejection are respectfully requested.

Serial No.: 10/700,769

Conclusion

Applicant believes that the above Amendment and remarks place this Patent Application into allowable condition and early allowance is respectfully requested. However, should the Examiner detect any remaining issue, Applicant again kindly requests the Examiner to contact the undersigned in an effort to expedite examination of this Patent Application.

Respectfully submitted,



Kevin D. Erickson
Registration No. 38,736

Pauley Petersen & Erickson
2800 West Higgins Road; Suite 365
Hoffman Estates, Illinois 60169
TEL (847) 490-1400 FAX (847) 490-1403